

JENKINS
WILSON
& TAYLOR

patent attorneys
July 14, 2004



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 14, 2004.

Patty Wilson

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Date of Signature July 14, 2004

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Re: U.S. Patent Application Serial No. 10/000,151 for
HUMAN KCR1 REGULATION OF HERG POTASSIUM
CHANNEL BLOCKER
Our Ref. No. 1242/49/2

Sir:

Please find enclosed the following:

1. Response to Office Communication (2 pages);
2. Sequence Listing on paper (22 pages) and CRF;
3. Statement that paper copy and CRF are the same (1 page);
4. Copy of Office Communication (2 pages); and
5. A return-receipt postcard to be returned to our offices with the U.S. Patent and Trademark filing stamp thereon.

The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account No. 50-0426.

Respectfully submitted,

JENKINS, WILSON & TAYLOR, P.A.

Arls A. Taylor

Arls A. Taylor, Jr.
Registration No. 39,395

AAT/ptw
Enclosures
Customer No: 25297



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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Balser et al.

Group Art Unit: 1647

Serial No.: 10/000,151

Examiner: Bunner, B.

Filed: October 30, 2001

Docket No.: 1242/49/2

Confirmation No.: 8248

For: HUMAN KCR1 REGULATION OF HERG POTASSIUM CHANNEL BLOCKER

RESPONSE TO OFFICE COMMUNICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the "Office Communication" dated June 25, 2004, and having a period for response set to expire on July 25, 2004, please find enclosed a new Sequence Listing in computer readable form. A new paper copy of the Sequence Listing is also enclosed. The new computer readable form and paper copy do not introduce any new matter.

A copy of the Office Communication is attached herewith.

Appl. Serial No.: 10/000,151

Applicants are additionally supplying a new statement verifying that the paper copy of the Sequence Listing and the Sequence Listing in computer readable form are identical.

Although it is believed that no fee is due, the Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account No. 50-0426.

Respectfully submitted,

JENKINS, WILSON & TAYLOR, P.A.

Date: 07/14/2004

By:


Arles A. Taylor, Jr.
Registration No. 39,395

1242/49/2 AAT/ptw

Enclosures

Customer No: 25297



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/000,151	10/30/2001	Jeffrey R. Balser	1242/49/2	8248

25297 7590 06/25/2004
JENKINS & WILSON, PA
3100 TOWER BLVD
SUITE 1400
DURHAM, NC 27707



EXAMINER	
BUNNER, BRIDGET E	
ART UNIT	PAPER NUMBER
1647	

DATE MAILED: 06/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

JUN 28 2004

DOCKET DATES: 7/25/04; 8/25/04; 9/25/04; 10/25/04;
APPOINTED ATTY: AAT/CPP 11/25/04;
FILE NO. 1242/49/2 12/25/04
DETERMINED BY: HMD 12/25/04
DATE: 7/2/04



UNITED STATES DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office
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Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10/000,151		Balser et al.	

EXAMINER

Bunner, B.

ART UNIT PAPER

1647 06232004

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825 for the reason(s) set forth at pg 2-3 of the previous Office Action of 10 November 2003. Specifically, the paper copy of the sequence listing does not match the CRF sequence listing. Although Mr. Taylor indicated in the response of 09 April 2004 that a new paper and CRF sequence listing were submitted to the PTO, neither has been received. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

APPLICANT IS GIVEN 30 days FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bridget E. Bunner whose telephone number is (571) 272-0881. The examiner can normally be reached on 8:30-4:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Kunz can be reached at (571) 272-0887. The fax number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BEB
Art Unit 1647
23 June 2004

Elizabeth C. Kemmerer

ELIZABETH KEMMERER
PRIMARY EXAMINER